UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 19

ELYSIAN BREWING CO.	
Employer	Cana 40 DC 002024
and	Case 19-RC-082934
IUOE LOCAL 286	
Petitioner	

DECLARATION OF JOE BISACCA

I, Joe Bisacca, state and declare as follows:

- 1. I am the CEO of Elysian Brewing Co. I was directly involved in the construction and staffing of our new brewing facility on Airport Way in the Georgetown area of Seattle, Washington. Except as may be otherwise indicated, I make the following statements based on personal knowledge.
- 2. As I testified at the first hearing in this matter, the two boiler operators are only temporary employees. The temporary boiler operators are required only until the brewers get their Grade IV boiler licenses. Then the brewers can legally operate the nearby boilers they use to boil the water for brewing.
- 3. Correspondence submitted at that first hearing amply demonstrates that the company was making preparations to get its brewers "up-to-snuff with their exam" so that they could get licensed, and that there was only temporary work for a Grade IV licensed boiler operator in the meantime.

- 4. I also testified about the delay in getting the brewers certified. Plans for training onsite with the city-certified instructor (Lilly Tolisin) went on hold when she developed cancer and could not follow through.
- 5. I also testified to renewed efforts that had been made to present a class to the brewers onsite. Since while it is true, as the Union has stressed, that a definite date for certifying the brewers had not been established at the time of the hearing, it is absolutely clear that plans for licensing brewers have been in the works—that's been the plan all along—and, as a consequence, the employment of boiler operators has always been temporary and will end in the foreseeable future.
- 6. Now that time has come. After recovering from her cancer, Ms. Tolisin has conducted training of our brewers onsite, and as of now, four of the brewers have in fact been certified and have their boiler operators' licenses. As I have testified from the beginning and as the plans were from the beginning, the job of boiler operator will disappear, once the brewers get the licenses required by the city code for mem to run their own boiler. That has now occurred and the two boiler operator positions—along with the two incumbents of the jobs—will be eliminated.
- 7. Such has been our plan from the very beginning, as we can well document. We are, of course, aware that the Union is going to claim these are reprisals against the two union supporters—the two boiler operators. Such allegations are false; from the beginning the two boiler operators were hired on a temporary basis, and their jobs were going to be eliminated once the brewers obtained their boiler licenses, as they are now doing and four have now done.

I declare under penalty of perjury under the laws of the United State of America and the state of Washington that the foregoing is true and correct.

Signed at Seattle, Washington this 23rd day of October, 2012.

Joe Bisacca